Attorney Docket No. 2003B002/2

Reply to Final Office Action dated May 29, 2009

Date July 29, 2009

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## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listing of claims in this application.

## **Listing of Claims:**

- 1. (Currently amended) An article comprising:
  - a first layer comprising a lower crystallinity polymer having [[of]] from 72 wt% to about 90 wt% propylene and [[of]] from 10 wt% to 20 wt% ethylene, based on the total weight of the lower crystallinity polymer; a melting point, as determined by DSC, of from 20 °C to 110 °C; [[and]] a Mooney viscosity (ML(1+4)@125°C) of [[about]] 60 or less; and a polypropylene crystallinity of from 3% to 40%, as determined by DSC; and
  - (b) a second layer comprising a higher crystallinity polymer comprising polypropylene, wherein said higher crystallinity polymer has a melting point as determined by DSC which is at least 25°C higher than that of said lower crystallinity polymer and a polypropylene crystallinity higher than that of the lower crystallinity polymer;

wherein said second layer is capable of undergoing plastic deformation upon elongation.

- 2. (Previously presented) The article of claim 1, wherein said lower crystallinity polymer and said higher crystallinity polymer have compatible crystallinity.
- 3. (Previously presented) The article of claim 2, wherein said lower crystallinity polymer and said higher crystallinity polymer have stereoregular polypropylene crystallinity.

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4. (Previously presented) The article of claim 1, wherein the first layer further comprises an additional polymer.

- 5. (Previously presented) The article of claim 4, wherein said additional polymer is the same as said higher crystallinity polymer.
- 6. (Previously presented) The article of claim 4, wherein said additional polymer is different from said higher crystallinity polymer.
- 7. (Previously presented) The article of claim 6, wherein said additional polymer is more crystalline than said lower crystallinity polymer.
- 8. (Previously presented) The article of claim 4, wherein said additional polymer is present in an amount of from 2wt% to 30wt%, based on the total weight of said first layer.
- 9. (Previously presented) The article of claim 4, wherein said additional polymer is present in an amount of from 5wt% to 20wt%, based on the total weight of said first layer.
- 10. (Previously presented) The article of claim 1, wherein said ethylene is present in said lower crystallinity polymer in an amount of 16.2 wt% or 17.0 wt% based on the total weight of said lower crystallinity polymer.
- 11. (Canceled)
- 12. (Previously presented) The article of claim 1, wherein said lower crystallinity polymer has a triad tacticity of ≥75%.
- 13. (Previously presented) The article of claim 12, wherein said lower crystallinity polymer has a melting point as determined by DSC of from 35°C to 70°C.
- 14. (Previously presented) The article of claim 1, wherein said lower crystallinity polymer has a heat of fusion as determined by DSC of from 20 J/g to 75 J/g.
- 15. (Previously presented) The article of claim 1, wherein said lower crystallinity polymer has a molecular weight distribution of from 2.0 to 4.5.

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- 16. (Previously presented) The article of claim 1, wherein said polypropylene is a homopolymer or copolymer of propylene and one or more comonomers selected from ethylene and  $C_4$ - $C_{12}$   $\alpha$ -olefins.
- 17. (Original) The article of claim 16, wherein said one or more comonomers is ethylene.
- 18. (Previously presented) The article of claim 3, wherein said polypropylene is a homopolymer or copolymer of propylene and one or more comonomers selected from ethylene and  $C_4$ - $C_{12}$   $\alpha$ -olefins.
- 19. (Previously presented) The article of claim 1, wherein said polypropylene is a random copolymer of propylene and one or more comonomers selected from ethylene and C<sub>4</sub>-C<sub>12</sub> α-olefins, and wherein said one or more comonomers is present in said copolymer in an amount of from 2wt% to 9 wt%, based on the total weight of said copolymer.
- 20. (Original) The article of claim 19, wherein said one or more comonomers is ethylene.
- 21. (Canceled)
- 22. (Canceled)
- 23. (Previously presented) The article of claim 1, wherein said first layer is in contact with said second layer.
- 24. (Previously presented) The article of claim 23, wherein said article comprises an additional layer in contact with said second layer.
- 25. (Previously presented) The article of claim 23, wherein said article comprises an additional layer in contact with said first layer.
- 26. (Previously presented) The article of claim 25, wherein said additional layer is more crystalline than said first layer.
- 27. (Previously presented) The article of claim 25, wherein said additional layer is less crystalline than said first layer.

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## 28. (Currently amended) An article comprising:

- (a) a first layer comprising a lower crystallinity polymer having [[of]] from 72 wt% to about 90 wt% propylene and [[of]] from 10 wt% to 20 wt% ethylene, based on the total weight of the lower crystallinity polymer; a melting point, as determined by DSC, of from 20°C to 110°C; [[and]] a Mooney viscosity (ML(1+4)@125°C) of [[about]] 60 or less; and a polypropylene crystallinity of from 3% to 40%, as determined by DSC; and
- (b) a plastically deformed second layer comprising a higher crystallinity polymer comprising polypropylene, wherein said higher crystallinity polymer has a melting point as determined by DSC which is at least 25°C higher than that of said lower crystallinity polymer and a polypropylene crystallinity higher than that of the lower crystallinity polymer.
- 29. (Original) The article of claim 28, wherein said article has a Haze value of greater than 70%.
- 30. (Original) The article of claim 28, wherein said article has a Haze value of greater than 80%.
- 31. (Original) The article of claim 28, wherein said article has a Haze value of greater than 90%.
- 32. (Original) The article of claim 28, wherein said article has a load loss of less than 70%.
- 33. (Original) The article of claim 28, wherein said article has a load loss of less than 60%.
- 34. (Original) The article of claim 28, wherein said article has a load loss of less than 55%.
- 35. (Original) The article of claim 28, wherein said article has a tension set of less than 20%.
- 36. (Original) The article of claim 28, wherein said article has a tension set of less than 15%.

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37. (Original) The article of claim 28, wherein said article has a tension set of less than 10%.

38. (Original) The article of claim 28, wherein said article is a film having two or more layers.

- 39. (Previously presented) The article of claim 28, wherein said lower crystallinity polymer and said higher crystallinity polymer have compatible crystallinity.
- 40. (Previously presented) The article of claim 39, wherein said lower crystallinity polymer and said higher crystallinity polymer have stereoregular polypropylene crystallinity.
- 41. (Previously presented) The article of claim 28, wherein the first layer further comprises an additional polymer.
- 42. (Previously presented) The article of claim 28, wherein said additional polymer is the same as the higher crystallinity polymer.
- 43. (Previously presented) The article of claim 28, wherein said additional polymer is different from the higher crystallinity polymer.
- 44. (Previously presented) The article of claim 43, wherein said additional polymer is more crystalline than said lower crystallinity polymer.
- 45. (Previously presented) The article of claim 41, wherein said additional polymer is present in an amount of from 2wt% to 30wt%, based on the total weight of said first layer.
- 46. (Previously presented) The article of claim 41, wherein said additional polymer is present in an amount of from 5wt% to 20wt%, based on the total weight of said first layer.
- 47. (Previously presented) The article of claim 28, wherein said lower crystallinity polymer ethylene is present in said lower crystallinity polymer in an amount of 16.2 wt% or 17.0 wt% based on the total weight of said lower crystallinity polymer.

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48. (Canceled)

49. (Previously presented) The article of claim 28, wherein said lower crystallinity polymer has a triad tacticity of ≥75.

- 50. (Previously presented) The article of claim 49, wherein said lower crystallinity polymer has a melting point as determined by DSC of from 35°C to 70°C.
- 51. (Previously presented) The article of claim 28, wherein said lower crystallinity polymer has a heat of fusion as determined by DSC of from 20 J/g to 75 J/g.
- 52. (Previously presented) The article of claim 28, wherein said lower crystallinity polymer has a molecular weight distribution of from 2.0 to 4.5.
- 53. (Previously presented) The article of claim 28, wherein said polypropylene is a homopolymer or copolymer of propylene and one or more comonomers selected from ethylene and  $C_4$ - $C_{12}$   $\alpha$ -olefins.
- 54. (Previously presented) The article of claim 39, wherein said polypropylene is a homopolymer or copolymer of propylene and one or more comonomers selected from ethylene and  $C_4$ - $C_{12}$   $\alpha$ -olefins.
- 55. (Previously presented) The article of claim 28, wherein said polypropylene is a random copolymer of propylene and one or more comonomers selected from ethylene and C<sub>4</sub>-C<sub>12</sub> α-olefins, and wherein said one or more comonomers is present in said copolymer in an amount of from 2wt% to 9 wt%, based on the total weight of said copolymer.
- 56. (Original) The article of claim 55, wherein said one or more comonomers is ethylene.
- 57. (Previously presented) The article of claim 28, wherein said higher crystallinity polymer further comprises a homopolymer or copolymer of ethylene and one or more comonomers selected from  $C_3$ - $C_{20}$   $\alpha$ -olefins.

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58. (Original) The article of claim 57, wherein said one or more comonomers is present in said copolymer in an amount of from 2wt% to 25wt%, based on the total weight of said copolymer.

- 59. (Previously presented) The article of claim 28, wherein said first layer is in contact with said plastically deformed second layer.
- 60. (Previously presented) The article of claim 59, wherein said article comprises an additional layer in contact with said plastically deformed second layer.
- 61. (Previously presented) The article of claim 59, wherein said article comprises an additional layer in contact with said first layer.
- 62. (Previously presented) The article of claim 61, wherein said additional layer is more crystalline than said first layer.
- 63. (Previously presented) The article of claim 61, wherein said additional layer is less crystalline than said first layer.
- 64. (Original) A garment portion comprising the article of claim 28 adhered to a garment substrate.
- 65. (Original) The garment portion of claim 64, wherein said garment portion is a diaper backsheet.

Claims 66-142 (Cancelled).

- 143. (Currently amended) A multilayer article comprising:
  - (a) a first layer comprising a lower crystallinity polymer in contact with
  - (b) a plastically deformed second layer comprising a higher crystallinity polymer,

wherein the lower crystallinity polymer comprises [[of]] from 72 wt% to about 90 wt% propylene and [[of]] from 10 wt% to 20 wt% ethylene, based on the total weight

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of the lower crystallinity polymer; a melting point, as determined by DSC, of from 20°C to 110°C; [[and]] a Mooney viscosity (ML(1+4)@125°C) of [[about]] 60 or less; and a polypropylene crystallinity of from 3% to 40%, as determined by DSC;

wherein the higher crystallinity polymer comprises polypropylene; and

wherein the lower crystallinity polymer and the higher crystallinity polymer have compatible crystallinity, and the higher crystallinity polymer has a melting point at least 25°C higher than that of the lower crystallinity polymer and a polypropylene crystallinity higher than that of the lower crystallinity polymer.

- 144. (Original) The article of claim 143, wherein the article is a multilayer film.
- 145. (Previously presented) The article of claim 143, wherein the lower crystallinity polymer and higher crystallinity polymer have stereoregular polypropylene crystallinity.
- 146. (Previously presented) The article of claim 143, wherein said is present in said lower crystallinity polymer in an amount of 16.2 wt% or 17.0 wt% based on the total weight of said lower crystallinity polymer.
- 147. (Canceled)
- 148. (Previously presented) The article of claim 143, wherein the lower crystallinity polymer has a triad tacticity of ≥75%.
- 149. (Previously presented) The article of claim 143, wherein the lower crystallinity polymer has a heat of fusion as determined by DSC of from 20 J/g to 75 J/g.
- 150. (Previously presented) The article of claim 143, wherein the lower crystallinity polymer has a melting point as determined by DSC of from 35°C to 70°C.
- 151. (Previously presented) The article of claim 143, wherein the lower crystallinity polymer has a molecular weight distribution of from 2.0 to 4.5.

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- 152. (Previously presented) The article of claim 143, wherein the polypropylene is a homopolymer or copolymer of polypropylene with stereoregular propylene sequences.
- 153. (Previously presented) The article of claim 143, wherein the polypropylene is a random copolymer of propylene and a comonomer selected from ethylene,  $C_4$ - $C_{12}$   $\alpha$ -olefins, and combinations thereof.
- 154. (Original) The article of claim 153, wherein the copolymer comprises 2 to 9% by weight polymerized comonomer based on the weight of the copolymer.
- 155. (Original) The article of claim 154, wherein the comonomer is ethylene.
- 156. (Original) The article of claim 143, wherein the article has a Haze value of greater than 70%.
- 157. (Original) The article of claim 143, wherein the article has a Haze value of greater than 80%.
- 158. (Original) The article of claim 143, wherein the article has a Haze value of greater than 90%.
- 159. (Original) The article of claim 143, wherein the article has a load loss of less than 70%.
- 160. (Original) The article of claim 143, wherein the article has a load loss of less than 60%.
- 161. (Original) The article of claim 143, wherein the article has a load loss of less than 55%.
- 162. (Original) The article of claim 143, wherein the article has a tension set of less than 20%.
- 163. (Original) The article of claim 143, wherein the article has a tension set of less than 15%.
- 164. (Original) The article of claim 143, wherein the article has a tension set of less than 10%.

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165. (Previously presented) The article of claim 143, wherein the first layer further comprises an additional polymer, wherein the lower crystallinity polymer and the additional polymer have compatible crystallinity.

- 166. (Previously presented) The article of claim 165, wherein the additional polymer is a propylene homopolymer or a copolymer of propylene and at least one comonomer selected from ethylene,  $C_4$ - $C_{20}$   $\alpha$ -olefin, and combinations thereof, and wherein the amount of comonomer present in the additional polymer is less than the amount of ethylene present in the lower crystallinity polymer.
- 167. (Previously presented) The article of claim 165, wherein the additional polymer is present in an amount of from 2 to 30% by weight based on the total weight of the first layer.
- 168. (Previously presented) The article of claim 165, wherein the additional polymer is present in an amount of from 5 to 20% by weight based on the total weight of the first layer.
- 169. (Previously presented) The article of claim 143, wherein the article further comprises an additional first layer in contact with the first layer.
- 170. (Previously presented) The article of claim 143, wherein the article further comprises an additional plastically deformed second layer in contact with the first layer.
- 171. (Original) A garment portion comprising the article of claim 143 adhered to a garment substrate.
- 172. (Original) The garment portion of claim 68, wherein the garment portion is a diaper backsheet.
- 173. (Currently amended) A multilayer article comprising:
  - (a) a first layer comprising a lower crystallinity polymer in contact with

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(b) a plastically deformed second layer comprising a higher crystallinity polymer,

wherein the lower crystallinity polymer comprises [[of]] from 72 wt% to about 90 wt% propylene and [[of]] from 10 wt% to 20 wt% ethylene, based on the total weight of the lower crystallinity polymer; a melting point, as determined by DSC, of from 20°C to 110°C; [[and]] a Mooney viscosity (ML(1+4)@125°C) of [[about]] 60 or less; and a polypropylene crystallinity of from 3% to 40%, as determined by DSC;

wherein the higher crystallinity polymer comprises polypropylene; and

wherein the lower crystallinity polymer and the higher crystallinity polymer do not have similar crystallinity, and the higher crystallinity polymer has a melting point at least 25°C higher than that of the lower crystallinity polymer and a polypropylene crystallinity higher than that of the lower crystallinity polymer.

- 174. (Original) The article of claim 173, wherein the article is a multilayer film.
- 175. (Previously presented) The article of claim 173, wherein the lower crystallinity polymer has stereoregular polypropylene crystallinity and the higher crystallinity polymer has ethylene crystallinity.
- 176. (Previously presented) The article of claim 173, wherein said ethylene is present in said lower crystallinity polymer in an amount of 16.2wt% or 17.0wt% based on the total weight of said lower crystallinity polymer.
- 177. (Canceled)
- 178. (Previously presented) The article of claim 173, wherein the lower crystallinity polymer has a triad tacticity of ≥75%.
- 179. (Previously presented) The article of claim 173, wherein the lower crystallinity polymer has a heat of fusion as determined by DSC of from 20 J/g to 75 J/g.

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- 180. (Previously presented) The article of claim 173, wherein the lower crystallinity polymer has a melting point as determined by DSC of from 35°C to 70°C.
- 181. (Previously presented) The article of claim 173, wherein the lower crystallinity polymer has a molecular weight distribution of from 2.0 to 4.5.
- 182. (Previously presented) The article of claim 173, wherein the polypropylene is a homopolymer or copolymer of ethylene and at least one comonomer selected from C<sub>3</sub>-C<sub>20</sub> α-olefins, and combinations thereof, and wherein the comonomer is present in the higher crystallinity polymer in an amount of from about 2wt% to about 25wt%.
- 183. (Original) The article of claim 182, wherein the comonomer is hexene.
- 184. (Original) The article of claim 173, wherein the article has a Haze value of greater than 70%.
- 185. (Original) The article of claim 173, wherein the article has a Haze value of greater than 80%.
- 186. (Original) The article of claim 173, wherein the article has a Haze value of greater than 90%.
- 187. (Original) The article of claim 173, wherein the article has a load loss of less than 70%.
- 188. (Original) The article of claim 173, wherein the article has a load loss of less than 60%.
- 189. (Original) The article of claim 173, wherein the article has a load loss of less than 55%.
- 190. (Original) The article of claim 173, wherein the article has a tension set of less than 20%.
- 191. (Original) The article of claim 173, wherein the article has a tension set of less than 15%.
- 192. (Original) The article of claim 173, wherein the article has a tension set of less than 10%.

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193. (Previously presented) The article of claim 173, wherein the first layer further comprises an additional polymer, wherein the lower crystallinity polymer and the additional

polymer have compatible crystallinity.

194. (Previously presented) The article of claim 193, wherein the additional polymer is a

propylene homopolymer or a copolymer of propylene and at least one comonomer

selected from ethylene, C<sub>4</sub>-C<sub>20</sub> α-olefin, and combinations thereof, and wherein the

amount of comonomer present in the additional polymer is less than the amount of

ethylene present in the lower crystallinity polymer.

195. (Previously presented) The article of claim 193, wherein the additional polymer is

present in an amount of from 2 to 30% by weight based on the total weight of the first

layer.

196. (Previously presented) The article of claim 193, wherein the additional polymer is

present in an amount of from 5 to 20% by weight based on the total weight of the first

layer.

197. (Previously presented) The article of claim 173, wherein the article further comprises an

additional first layer in contact with the first layer.

198. (Previously presented) The article of claim 173, wherein the article further comprises an

additional plastically deformed second layer in contact with the first layer.

Claims 199-222 (Cancelled).